

USDC No. 4:21cv107-DMB-JMV

IN THE CIRCUIT COURT OF COAHOMA COUNTY, MISSISSIPPI

CARRIE BRANDON

PLAINTIFF

14 CI. 21-cv-0030

VS.

CIVIL ACTION NO. _____

THE KENAN ADVANTAGE GROUP, INC.

DEFENDANT

COMPLAINT
JURY TRIAL REQUESTED

COMES NOW Carrie Brandon, by and through counsel, and for cause of action against the defendant, The Kenan Advantage Group, Inc., states and alleges the following:

1.

Carrie Brandon is an adult resident citizen of Friars Point, Coahoma County, Mississippi.

2.

The Kenan Advantage Group, Inc. is a Delaware Corporation organized and existing under the laws of the State of Delaware; is not licensed to do but is doing business in the State of Mississippi; and, may be served by and through service upon its registered agent for service, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

3.

This Court has jurisdiction over this matter pursuant to the Mississippi Constitution and the laws of the State of Mississippi. Venue is proper in this Honorable Court as the acts complained of occurred in whole or in part in the Coahoma County, Mississippi.

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On or about April 4, 2020, Carrie Brandon was operating a vehicle in a southerly direction on Highway 61 near its intersection with Rich Road in Coahoma County, Mississippi. At such time, Carrie Brandon was lawfully and prudently traveling south on Highway 61 within her lane

of travel.

5.

At the same time and place, a vehicle owned by The Kenan Advantage Group, Inc. was being operated by an unknown driver who was in the course and scope of his employment The Kenan Advantage Group, Inc. and was traveling in a southerly direction on Highway 61 near its intersection with Rich Road in Coahoma County, Mississippi in the lane to the left of the vehicle being operated by Carrie Brandon. At such time, the vehicle owned by The Kenan Advantage Group, Inc. which was being operated by an unknown driver who was in the course and scope of his employment The Kenan Advantage Group, Inc. left its lane of travel, crossed over the line and entered the lane of travel occupied by Carrie Brandon and collided with the vehicle being operated by Carrie Brandon.

6.

The collision and resulting damages to Carrie Brandon were directly and proximately caused by the negligence of the driver of the vehicle owned by The Kenan Advantage Group, Inc. and who was in the course and scope of his employment The Kenan Advantage Group, Inc. at the time of the collision in the following ways:

- (a) Failing to obey the traffic signs;
- (b) Failing to keep his vehicle under reasonable and proper control;
- (c) Failing to keep a reasonable and proper lookout as he operated his vehicle;
- (d) Failing to yield the right of way;
- (e) Failing to obey traffic signals;
- (f) Failing to abide by the Rules of the Road;
- (g) Operating his vehicle in a careless and negligent manner;

- (h) Failing to give adequate warnings of a collision;
- (i) Causing his vehicle to collide into the Plaintiff; and/or,
- (j) Other acts of omission and commission to be named in a trial of this matter.

7.

At all relevant times hereto, the unknown driver was operating a vehicle owned and maintained by The Kenan Advantage Group, Inc. and was acting in the course and scope of his employment with The Kenan Advantage Group, Inc. As such, The Kenan Advantage Group, Inc. is vicariously liable for any and all negligent acts of the unknown driver under the theory of Respondeat Superior and/or vicarious liability as the employer of the unknown driver or as owner and maintainer of the vehicle the unknown driver was operating at the time of the collision.

8.

As a result of the unknown driver's negligent acts and/or omissions, Carrie Brandon has suffered past, present, and future medical expenses; past, present, and future loss of wages or wage-earning capacity; property damage; loss of household services; and past, present, and future pain and suffering and resulting emotional distress and mental anguish.

9.

Based on the foregoing, Plaintiff requests an award of damages for the following:

1. past, present, and future pain and suffering and resulting emotional distress and mental anguish;
2. past, present, and future loss of wages or wage earning capacity;
3. past medical expenses;
4. future medical expenses;
5. loss of household services;

6. property damage;
7. Pre-judgment interest;
8. Post-judgment interest; and,
9. All costs of court.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Carrie Brandon, demands judgment against Daniel Thompson in an amount in excess of the jurisdictional minimum of this court and to be determined by a jury to adequately compensate the plaintiff for her injuries; pre-judgement and post-judgement interest; her costs in pursuing this lawsuit; and any other relief to which she may be entitled under Mississippi Law.

RESPECTFULLY SUBMITTED, this the 7th day of July, 2021.

CARRIE BRANDON

BY: 
OF COUNSEL

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